

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
UNITED STATES OF AMERICA :

v. :

KALEIL ISAZA TUZMAN, OMAR
AMANAT, and IRFAN AMANAT, :

Defendants. :

No. S8 15 Cr. 536 (PGG)

----- x
**[PROPOSED] ORDER GRANTING THE DEFENDANT’S MOTION FOR
DISCOVERY AND A HEARING ON THE GOVERNMENT’S CONDUCT**

WHEREAS, on February 14, 2017, Kaleil Isaza Tuzman filed a motion for discovery and a hearing on the government’s conduct (the “Motion”), along with supporting documentation;

WHEREAS, on March 7, 2017, the government filed its opposition papers to the Motion;

WHEREAS, on March 17, 2017, Mr. Isaza Tuzman filed reply papers;

WHEREAS, on _____, 2017, the Court held oral argument on the Motion;

IT IS HEREBY ORDERED that:

1. By _____, 2017, the U.S. Attorney’s Office should gather and produce to defense counsel the following:

- a. All documents and communications between and among the Department of Justice (including the United States Attorney’s Office for the Southern District of New York and the Office of International Affairs), the United States Department of State (including the United States Embassy in Colombia and other consular offices),¹ and any Colombian authorities, pertaining to any and all aspects of Mr. Isaza Tuzman’s incarceration in Colombia;

¹ Hereinafter, the Department of Justice and United States Department of State shall collectively be referred to as the “Government.”

- b. All documents and communications pertaining to the Government's knowledge of threats to Mr. Isaza Tuzman's safety while he was imprisoned in Colombia;
 - c. All documents and communications concerning the Government's efforts, if any, to ensure Mr. Isaza Tuzman's safety and well-being while in Colombia;
 - d. All documents and communications concerning the Government's awareness or knowledge of Mr. Isaza Tuzman's complaints to Colombian prison authorities and United States authorities (including at the Department of State and United States Embassy);
 - e. All documents and communications concerning the Government's knowledge of Mr. Isaza Tuzman's complaints and statements to the press, whether in Colombia or the United States;
 - f. All documents and communications within the Government regarding the representations made by the United States Attorney's Office in response to Mr. Isaza Tuzman's November 10, 2015 motion to dismiss the arrest warrant;
 - g. All documents and communications concerning the United States' decision whether and when to have Mr. Isaza Tuzman provisionally arrested and imprisoned in Colombia;
 - h. Any and all video/audio recordings pertaining to Mr. Isaza Tuzman's incarceration at La Picota prison in Bogotá, Colombia, including but not limited to any video/audio recordings from cellblock 16 during the week of October 11 through 18, 2015;
2. The Court shall conduct an evidentiary hearing on _____, 2017, starting at ____ a.m./p.m. Three weeks prior to the hearing, Mr. Isaza Tuzman shall identify which Government witnesses he intends to call at the evidentiary hearing, and the Government shall make those witnesses available at the hearing as requested. No later than two weeks prior to the

hearing, the Government shall produce to the defense all materials pursuant to 18 U.S.C. § 3500 and *United States v. Giglio*, 405 U.S. 150 (1972), and its progeny.

Dated: _____

Hon. Paul G. Gardephe
United States District Judge